

**COMBINED DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY**

(includes reference to PCT International Applications)

As a below named inventor, I hereby declare that :

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled :

“Modified Green Fluorescent Proteins”

the specification of which

☒ (X) is attached hereto.

☐ () was filed on _____ as
Application Serial No. _____
and was amended on _____

☐ () was filed as PCT International Application
No. _____ on _____ and was
amended under PCT article 19 on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim priority benefits under title 35, United States Code, Section 119 of any US provisional or foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any provisional or foreign application for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America having a filing date before that of the application on which priority is claimed :

008740-0827550

Prior Provisional or Foreign/PCT Application(s)
(if PCT, indicate "PCT" under Country)

Priority Claimed

Number Country Date/Month/Year filed () Yes () No

I hereby claim the benefit under Title 35, United States Code Section 120 of any United States application(s) or PCT International Application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application(s) in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulation, Section 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application :

Application Serial No.
or PCT Application No.
(and any assigned USSN) US or PCT
Filing Date Status -- Patented,
Pending or Abandoned

POWER OF ATTORNEY : As a named Inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Wellington M Manning Jr.	Registration No. 22,376
Julian W Dority	Registration No. 20,268
James M Bagarazzi	Registration No. 29,609
Richard M Moose	Registration No. 31,226
Mark C Dukes	Registration No. 32,343
Stephen E Bondura	Registration No. 35,070
Neil C Jones	Registration No. 35,561
Craig N Killen	Registration No. 35,218
Timothy A Cassidy	Registration No. 38,024
Lloyd G Farr	Registration No. 38,446
Jeffrey M Karmilovich	Registration No. 35,915
Frances T Barnes	Registration No. 41,598
J Bennett Mullinax	Registration No. 36,221
Judy C Jarecki-Black	Registration No. 44,170

Send Correspondence to :
Attn. Judy C Jarecki-Black, PhD
Dority & Manning, PA
PO Box 1449
Greenville, SC 29602-1449

Direct Telephone Calls to :
Attn. Judy C Jarecki-Black, PhD
(864) 271 1592
FAX (864) 233 7342

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature: X D. C. Choy
Full name of Inventor: Donald Choy Chang
Date of Signature: X 24 December, 1999
Residence and/or Post Office Address: Tower 7, Flat 2A, HKUST, Clear Water Bay, Kowloon, Hong Kong
Citizenship: X USA

Inventor's Signature: X Qian Luo
Full name of Inventor: Qian Luo
Date of Signature: X 23-12-1999
Residence and/or Post Office Address: X Biology department, The Hong Kong University of Science & Technology, Kowloon, Hong Kong
Citizenship: X Canadian

Applicant or Patentee Donald Choy Chang and Qian Luo
Serial or Patent No.:
Filed or Issued:
Title: Modified Green Fluorescent Proteins

**VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(b))
INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled described in:

- ☒ the specification filed herewith
☐ International application no.
☐ filed

I have not assigned, granted, conveyed or licensed except as shown in the attachment hereto and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization
☒ persons, concerns or organizations listed below*

FULL NAME: The Hong Kong University of Science & Technology
ADDRESS: Clear Water Bay, Kowloon, Hong Kong

☐ Individual ☐ Small Business Concern ☒ Nonprofit Organization

008740-088T5560

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

X Donald Choy Chang
Donald Choy Chang

X 24 December, 1999
Date

X Qian Luo
Qian Luo

X 23-12-1999
Date

00370" 0867560

Applicant or Patentee Donald Choy Chang and Qian Luo
Serial or Patent No.:
Filed or Issued:
Title: Modified Green Fluorescent Proteins

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION:

The Hong Kong University of Science & Technology

ADDRESS OF NONPROFIT ORGANIZATION:

Clear Water Bay, Kowloon, Hong Kong

TYPE OF NONPROFIT ORGANIZATION:

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE: _____)
(CITATION OF STATUTE: _____)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE: _____)
(CITATION OF STATUTE: _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

00840-08E5560

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

I hereby declare the rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF PERSON SIGNING: Dr. Keith White-Hunt

TITLE IN ORGANIZATION OF PERSON SIGNING: Director of Business Development

ADDRESS OF PERSON SIGNING: Hong Kong University of Science & Technology,

Clear Water Bay, Kowloon

SIGNATURE: 

DATE: 13 DEC 1999

008749 08ET5560